

REMARKS

Applicant respectfully requests reconsideration and allowance of all of the pending claims of the application. Herein, claims 9-15, 26-27, 31, 34 and 37 are pending. Claims amended: none. Claims canceled or withdrawn: 1-6, 8, 16-24, 28-30, 32, 33, 35, 36, 38-41, and 43-48. Claims added: none.

Election/Restriction

The claims are subjected to a restriction/election requirement under 35 U.S.C. §121 as containing three (3) patentably distinct groups of the claimed invention:

- I. Claims 1-6, 8, 24, 30, 33, 36, 39-41, and 43-48, are drawn to sending delay disable command to a server, classified in class 709, subclass 235; and
- II. Claim 9-15, 26-27, 31, 34 and 37, are drawn to sending a push packet to avert transmission delay, classified in class 709, subclass 235;
- III. Claims 16-23, 28-29, 32, 35, and 38, are drawn to sending a prime packet to avoid a transmission delay, classified in class 709, subclass 235.

Applicant hereby elects to prosecute Group II without traverse. Claims 9-15, 26-27, 31, 34 and 37 read on Group II.

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ATTY DOCKET NO.: MS1-565US
RESPONSE TO RESCIPTION REQUIREMENT
DATED 11/17/2004

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Conclusion

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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